

# ATTACHMENT 1



## **Review of the Los Angeles Police Department's Response to First Amendment Assemblies and Protests (May 27, 2020 - June 7, 2020)**

Concept Paper

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### **SUBMITTED BY:**

Police Foundation  
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### **SUBMITTED TO:**

Los Angeles Board of Police Commissioners  
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# Table of Contents

Background and Understanding.....3

Proposed Approach.....4

Statement of Independence.....6

Experience and Professional Qualifications.....6

Pricing.....6

Designated POC.....7

## **Introduction**

The Police Foundation (PF) is pleased to submit this concept paper to the Los Angeles Board of Police Commissioners (Los Angeles Police Commission) based on our preliminary understanding of your interest in conducting an independent review of the of the Los Angeles Police Department's (LAPD) response to First Amendment assemblies and protests that occurred between May 27, 2020 and June 7, 2020.

## **About the National Police Foundation (NPF)**

The National Police Foundation (NPF) is a non-partisan and non-membership 501(c)(3) research organization dedicated to advancing the impact and delivery of police services through reforms and enhancements guided by innovation and science. For the last 50 years, the Foundation has led the development of research on all aspects of policing and leads the way in promoting and sharing evidence-based practices and innovation among law enforcement. The Foundation works with communities across the U.S. and internationally to provide research, training, and technical assistance relating to community engagement and problem solving, promoting safety and healthy organizations and officers, the reduction and prevention of violence, and equitable and fair justice for all. For more information, please visit the National Police Foundation website at [www.policefoundation.org](http://www.policefoundation.org).

## **Background and Understanding**

The City of Los Angeles is the largest city in California with an estimated population of nearly four million people. The second most populous city in the United States (after New York City), Los Angeles is overseen by the LAPD, who have been working "To Protect and To Serve" its surrounding community since 1869. With nearly 10,000 officers and more than 3,000 civilian staff, the LAPD is the third-largest municipal police department in the United States. The LAPD is overseen by the Los Angeles Police Commission, a five-member body of appointed officials that are responsible for setting policies for the department and overseeing the LAPD's overall management and operations.

On May 25, 2020, George Floyd, a 46-year-old African American male, died while in police custody in Minneapolis, Minnesota. Public outrage across the country spread, soon after, when a video of the incident showcased a police officer bending his knee to Mr. Floyd's neck while three other officers assisted in his detainment, circulated the Internet. In response to the video and his death, both peaceful and violent protests have broken out in more than 2,000 cities and towns in the United States, and at least 60 countries, calling for the arrest of the four officers involved, along with demands for police reform. While the majority of protests have been peaceful, some have descended into nights of unrest, with reports of shootings, looting, vandalism, and other crime.

Protests in Los Angeles began on May 27, 2020. On May 29, 2020 the LAPD was placed on tactical alert.<sup>1</sup> An unlawful assembly was declared late on May 29<sup>th</sup> and arrests were made, with one officer reportedly hospitalized with unspecified injuries. Media/open source reports indicate that the LAPD used a variety of less lethal tactics to disperse crowds during several days of

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<sup>1</sup> <https://losangeles.cbslocal.com/2020/05/29/los-angeles-george-floyd-protests-day-3>

unrest. During the fifth day of protests, LAPD released a statement indicating support for First Amendment activities and warning against non-peaceful protest activities. Open source material includes allegations of inappropriate or unnecessary use of force against protestors and at least one incident where an LAPD vehicle came into contact with at least one member of the community involved in the protests. Following the demonstrations, the LAPD released a Law Enforcement Reform Plan, which included reformative legislation, enhancement of police training, revision of police budget, etc.<sup>2</sup>

While this independent review's scope includes evaluating the LAPD's response to unrest activity in all four bureaus, much of the focus is presumed to be in the Central and West Bureaus. The review will not examine the response of neighboring jurisdictions such as Santa Monica and Beverly Hills, nor will it assess the actions of the Los Angeles County Sheriff's Department, to the extent that their activities occurred outside of the LAPD primary jurisdiction areas. The purpose of these reviews is not investigative or intended to place blame, but to independently determine what aspects of the LAPD's response worked well and what did not from a variety of perspectives and to improve responses to future incidents.

## **Proposed Approach**

The PF team will independently assess LAPD's response to mass demonstrations, protests, and First Amendment assemblies that occurred between May 27, 2020 and June 7, 2020, from a variety of perspectives that includes LAPD personnel, community-based organizations, elected officials, the local business community, LAPD staff involved in command and control operations, as well as additional stakeholders. PF proposes the following approach to complete an independent review. Please note that this approach can be refined and scoped upon further discussion with the Los Angeles Police Commission.

### **TASK 1: DATA COLLECTION AND DOCUMENT REVIEW**

This initial task will allow the review to begin expeditiously, using subject matter experts (SMEs) to conduct reviews of materials and to plan for any onsite opportunities.

- PF will request and review policies, procedures, training curricula, incident action plans (IAP), any incident command system (ICS) and NIMS documentation, LAPD-provided audio/video materials, etc.
- PF will request and review data, incident reports, briefings and other available operational information related to the preparation and/or response to the events relevant to this review, including use of force reports, citation and arrest details, property damage logged, officers' injuries, disciplinary reports, community complaints and similar data and materials.
- PF will collect open source material through a scan of social and traditional media.
- PF will conduct listening sessions, focus groups, and/or interviews of selected officers, supervisors and command staff involved in the response.
- PF will work to understand the LAPD, City, community, and other key stakeholder leadership perspectives and relationships to fully understand the relationship between leadership in determining tactical and strategic response.
- PF will conduct interviews with oversight and accountability functional components as well as labor associations regarding the incidents and response.

- PF will request and review additional materials and documentation as may be required to complete the review.

## **TASK 2: FEEDBACK COLLECTION AND COMMUNITY INPUT**

This task will allow the review team to receive feedback from the community regarding the incidents and the LAPD's response. PF will conduct community and business listening sessions, focus groups, and interviews, one in each geographic bureau of the City of Los Angeles. This includes publicizing, location selection and on-site support. PF will plan, organize, and facilitate these sessions. All feedback will be collected and retained by the PF Team. In the event that the COVID-19 public health emergency prevents in-person convenings, online or virtual convening(s) will be provided.

- PF will hold four community meetings, one in each Geographic Bureau of the City of Los Angeles to hear the perspectives from the community members and business owners. (Location and logistical assistance (including on-site support) to be provided by the Commission)
- PF will review open source material (including public comments) as it relates to the LAPD's response.
- PF will consider options for collecting additional feedback from the community and business owners such as online feedback collection processes, etc.
- PF will request and review available data from LAPD regarding community satisfaction and sentiment (if collected).

## **TASK 4: ANALYSIS**

The PF Team will leverage its robust extensive understanding of public safety and after action/incident reviews to complete the analysis. The PF team will utilize broad data analysis and research capabilities and access to networks of experts in a diverse array of relevant subject areas in order to identify problem areas and/or areas in need of improvement and provide recommendations for implementation of enhanced or alternative strategies to address the identified challenges. The PF team will coordinate and execute tasks using site visits (if possible), electronic communications, and conference calls to efficiently reach project goals. Focus areas will include analyzing improvements in LAPD policy, planning, practice, training, tactics, command and control; and where staffing and resources may be needed to better align the department with national best and promising practices.

Additionally, the PF Team will conduct a gap analysis, comparing analyzed information to model law enforcement/public safety policies, lessons learned, best and promising practices, national standards and international perspectives. Specifically:

- PF will conduct analysis of focus areas, including where improvements in LAPD policy, planning, practice, training, tactics, command and control, staffing and resources may be needed to better align the department with national best and promising practices.

- PF will identify ways in which communications and relationship building with protestors and community members (including business owners) can be strengthened to improve public safety during First Amendment assemblies and similar large-scale events.
- PF will identify focus areas from the LAPD responses to mass demonstrations and First Amendment assemblies that provide promising practices and lessons learned for the broader law enforcement community.
- PF will identify those areas that the LAPD demonstrated best practices and sound tactics in managing the large demonstrations

## **TASK 5: REPORT FINDINGS**

The project will be completed within six months of contract delivery. A draft report or initial findings will be provided at least 30 days in advance in order to facilitate LAPD and the Los Angeles Police Commission feedback for accuracy and completeness purposes.

The PF team will provide a formatted final report to the Los Angeles Police Commission. The report shall include a specific discussion of the incidents covered, the police tactical response, the lessons learned/observations made, the community's perspectives as well as feedback from officers and staff. The report shall provide any recommendations for improvement identified during the review. The proposed report timeline is as follows:

- **December 1, 2020:** PF will develop, vet, and refine the draft, and present key findings to the Commission.
- **January 31, 2021:** The final report will be submitted to the Los Angeles Police Commission.

This project and resulting report(s) will be provided to the Commission.

## **Statement of Independence**

The Commission has requested an independent review of the LAPD's response. It is our understanding that the LAPD, through Chief Moore, has agreed to an independent review and has pledged its full cooperation. Our review will be conducted independently, and it is agreed that neither the Commission nor the LAPD shall influence the outcomes or findings of the report. The Commission and the LAPD shall have the opportunity to review the report, share feedback, provide additional information in support of its feedback and may provide a response to the report, but under no circumstances will the LAPD or the Commission direct changes to the report findings.

PF will not consider any staff member or SME that has a real or perceived conflict of interest relative to the Commission, the LAPD, or the City.

## **Experience and Professional Qualifications**

PF's highly qualified proposed team of staff and subject matter experts has extensive experience with understanding police-community relations; rigorous data analysis and research

capabilities; access to networks of experts in a diverse array of relevant subject areas; understanding organizational assessment and audit processes; and Technical Assistance (TA). The Foundation proposes the following initial primary staff and SMEs:

- Jennifer Zeunik, Police Foundation Director of Local Programs
- Dr. Travis Taniguchi, Police Foundation Director of Research
- Dr. Frank Straub, Director, Center for Mass Violence Response Studies
- Chief R.C. White (Ret.), Denver Police Department
- Commissioner Chuck Ramsey (Retired), Philadelphia Police Department
- Reverend Jeffrey Brown

## **Pricing**

PF estimates that completion of this engagement will cost \$348,311, and last seven months in duration, beginning July 1, 2020, and completing January 31, 2021. It is understood and agreed that the study proposed here will be funded by the Los Angeles Police Foundation although the report shall be prepared for and delivered to the Los Angeles Board of Police Commissioners.

## **Payment Terms**

The Police Foundation requests the following payment terms for this fixed fee engagement:

- 30% Due at Contract Signing
- 30% Due after Second Community Forum
- Balance Due Upon Submission of Final Report

## **COVID-19 Public Health Emergency**

If the Police Foundation determines, in its sole discretion, that it is unsafe or impractical for staff and/or SMEs to travel on site for any period of time during the review due to the COVID-19 public health emergency, the parties shall discuss and agree on modifications to this proposal to accommodate such lack of travel. Should the Commission determine that the project shall not continue as a result of an inability to travel as described above, the Foundation shall be compensated for any all expenses incurred, up to the date of cancellation.

## **Designated POC**

For the purposes of this proposal and contract negotiations with PF, the designated point of contact is:

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